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10

FILED

JAN 16 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 -000-

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18

CR. 06-00697-DLJ

19 vs.

**STIPULATION TO CONTINUE
STATUS CONFERENCE**

20 WARREN STEVEN SMITH,
21 Defendant.
22
23 _____ /

24 Defendant WARREN STEVEN SMITH, by and through his counsel of record
25 Randy Sue Pollock, and Assistant U.S. Attorney Garth Hire hereby stipulate and agree
26 that the status conference presently set for Friday, January 19, 2007, at 9 a.m. be
27 continued until Friday, March 2, 2007 at 9 a.m.. This continuance is at the request of
28 defense counsel as she needs to be out-of-state on a family matter.

The time period from January 19, 2007 to March 2, 2007, would be deemed
excludable pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice
served by granting a continuance outweigh the best interests of the public and of the
defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. Section
3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, it is

1 unreasonable to expect adequate preparation for pretrial proceedings and for the trial
2 within the time limits established by the Speedy Trial Act.
3
4

5 Date: January 12, 2007


/s/ Randy Sue Pollock
RANDY SUE POLLOCK
Counsel for Defendant
WARREN STEVEN SMITH

8 Date: January 12, 2007

/s/ Garth Hire
GARTH HIRE
Assistant United States Attorney

12 SO ORDERED:

13 January 16, 2007


D. LOWELL JENSEN
United States District Court Judge